

# Katten Muchin Rosenman LLP

575 Madison Ave.  
New York, NY 10022  
212.940.8800 tel  
(212) 940-8776 fax

## Facsimile

|   |   |                                     |  |
|---|---|-------------------------------------|--|
| <b>To</b><br>1 Examiner Devona<br>Faulk   | <b>Company</b><br>USPTO - GAU 2644<br>Re: 09/488,373<br>Confirmation No. 4355 | <b>Fax Number</b><br>1-703-872-9306 | <b>Phone Number</b><br><b>RECEIVED</b><br><b>CENTRAL FAX CENTER</b><br>JUN 24 2005 |
| <b>Date</b><br>6/24/2005  | <b>Client/Master Number</b><br>100809-16084 (SCEI 16.895)                     |                                     |  |
| <b>From</b><br>Thomas J. Bean   | <b>Attorney Email Address</b><br>Thomas.Bean@kattenlaw.com                    |                                     |  |
| <b>Phone</b><br>212.940.8729  | <b>Fax</b><br>212.940.8986  |                                     |  |
| <b>Total number of pages, including cover letter: 5</b><br><b>If you do not receive all of the pages, please call: 212.940.8800</b> |   |                                     |  |

### Comments

**\*\* EXPEDITED PROCEDURE \*\***

### Enclosed:

1 page - NOTICE OF APPEAL (IN DUPLICATE)  
1 page - PETITION FOR EXTENSION OF TIME (IN DUPLICATE)

**RECEIVED**  
**OICE/IAP**

**JUN 27 2005**

### For Messenger Department Use Only

Your fax has been sent Attached is your original.

|                  |             |
|------------------|-------------|
| <b>Date</b>      | <b>Time</b> |
| <b>Signature</b> |             |

### Important

This facsimile transmission contains information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law.

If you are not the intended recipient (or an employee or agent responsible for delivering this facsimile transmission to the intended recipient), you are hereby notified that any copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender by telephone to arrange for the return or destruction of the information and all copies.

NEW YORK CHARLOTTE CHICAGO IRVING LOS ANGELES PALO ALTO WASHINGTON, DC WWW.KATTENLAW.COM

A law partnership including professional corporations

S4030613\_1

PTO/SB/31 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |  |   |  |
|--|--|---|--|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO<br/>THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>   |  | Docket Number (Optional)<br><b>100809-16084(SCEI 16.895)</b>  |  |
| <b>CERTIFICATION OF FACSIMILE TRANSMISSION</b><br>I hereby certify that this paper is being facsimile transmitted to the<br>United States Patent and Trademark Office<br>on <u>6-24-2005</u><br>Signature <u>Frances Doyle</u><br>Typed or printed name <u>FRANCES DOYLE</u>   |  | In re Application of<br><b>Toru MORITA</b><br>Application Number <u>09/488,373</u> Filed <u>January 20, 2000</u><br>For <b>METHOD FOR GENERATING PLAYBACK...</b><br>Art Unit <u>2644</u> Examiner <u>Devona Faulk</u> |  |
| Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.  |  |   |  |
| The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))  |  | \$ <u>500.00</u>  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____<br><input type="checkbox"/> A check in the amount of the fee is enclosed.<br><input type="checkbox"/> Payment by credit card Form PTO-2038 is attached.<br><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.<br><input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No <u>50-1290</u> I have enclosed a duplicate copy of this sheet.<br><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. |  | <b>RECEIVED<br/>CENTRAL FAX CENTER<br/>JUN 24 2005</b>  |  |
| <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>  |  |   |  |
| I am the<br><input type="checkbox"/> applicant/inventor.<br><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)<br><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,528</u><br><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____   |  | <u>Thomas J. Bean</u><br>Signature<br>Typed or printed name<br><u>(212) 940-8729</u><br>Telephone number<br><u>June 24, 2005</u><br>Date  |  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.  |  |   |  |
| <input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted  |  |   |  |

The collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

06/27/2005 CCHAU1 00000004 501290 09488373

01 FC:1401 500.00 DA